

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Ronnell Demar Bey,)
Plaintiff,)
v.)
Erica G. Lybrand and)
PrimeLending A PlainsCapital Company,)
Defendants.)
)

Civil Action No. 2:19-3297-BHH

ORDER

Plaintiff Ronnell Demar Bey (“Plaintiff” or “Bey”) filed this pro se civil action alleging claims related to the foreclosure and sale of certain property. In accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(d) (D.S.C.), the matter was referred to a United States Magistrate Judge for preliminary determinations.

On July 8, 2020, Magistrate Judge Mary Gordon Baker issued a Report and Recommendation (“Report”), outlining the issues and recommending that the Court deny Plaintiff’s motion to amend the complaint (ECF No. 46) and grant Defendants’ motions to dismiss (ECF Nos. 20 and 23) in their entirety. Attached to the Report was a notice advising the parties of the right to file specific, written objections to the Report within fourteen days of receiving a copy. To date, no objections have been filed.

The Magistrate Judge makes only a recommendation to the Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a de novo determination only of those portions of the Report to which specific objections are made, and the Court may accept, reject, or modify, in whole

or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of specific objections, the Court reviews the matter only for clear error. *See Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’”) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

Here, because no objections were filed, the Court has reviewed the record, the applicable law, and the findings and recommendations of the Magistrate Judge for clear error. After review, the Court finds no clear error and agrees with the Magistrate Judge that this action is subject to dismissal.

Accordingly, the Court adopts and incorporates the Magistrate Judge’s Report (ECF No. 50; the Court denies Plaintiff’s motion to amend the complaint (ECF No. 46); the Court grants Defendants’ motions to dismiss (ECF Nos. 20 and 23) in their entirety; and the Court dismisses this matter with prejudice.

IT IS SO ORDERED.

/s/Bruce H. Hendricks

Howe Hendricks
United States District Judge

July 31, 2020
Charleston, South Carolina

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this order within the time period set forth under Rules 3 and 4 of the Federal Rules of Appellate Procedure.